

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JUSTIN T. MAHER

Docket No. 12 CV 3586 (JCM)

Plaintiff

**ANSWER TO RULE 56.1
STATEMENT BY QUALITY BUS
SERVICE, LLC.**

v.

CAITLIN H. RAILO and
QUALITY BUS SERVICE, LLC

(ECF Case)

Defendants

Jury Trial Demanded

**ANSWER TO STATEMENT OF MATERIAL FACTS IN SUPPORT OF CAITLIN
RAILO'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff, Justin T. Maher, by and through his attorneys, COGNETTI & CIMINI and FOULKE LAW OFFICES hereby answers Caitlin Railo's Rule 56.1 Statement of Material Facts as follows:

1. Admitted
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied as stated. It is denied that Railo listed all motor vehicle accidents to

which she had been involved or all vehicle and traffic violations which she had received in the applicable time period.

6. Denied. It is specifically denied that the New York State Department of Motor Vehicles obtained a full driving history relative to Railo. By way of further answer, Mr. Martucci, owner and manager of Quality Bus Service, LLC, requested a three year driving abstract for Ms. Railo which was provided to the Article 19A Bus Driver Certification Unit. No

driving abstract listing a DWI charge from 2003 was provided to the NYS Department of Motor Vehicles Bus Driver Certification Unit.

7. Denied. Based upon incomplete Article 19A Application, erroneous requests for fingerprinting, and the limited three (3) year driver history abstract provided by Defendant Quality Bus, Railo was issued a commercial driver's license with appropriate endorsements to operate a school bus.

8. Admitted.

Respectfully Submitted,
COGNETTI & CIMINI

s/ Vincent S. Cimini
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